

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
AIKEN DIVISION**

Rebecca Dawn Brownlee-Nobs,)
)
)
) Civil Action. No.: 1:14-cv-03988-JMC
)
Plaintiff,)
)
)
v.) **ORDER**
)
Carolyn W. Colvin, Acting Commissioner)
of the Social Security Administration,)
)
Defendant.)
)

This matter is before the court upon motion of Plaintiff, through her attorney, Mario A. Pacella, for an award of attorney's fees under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412. (ECF No. 19). Plaintiff's motion seeks reimbursement for Counsel's representation in the above-captioned matter in the amount of \$6,817.32 in attorney's fees at \$189.37 per hour for 36 hours. Additionally, Plaintiff requests reimbursement of her filing fee in the amount of \$400.00. Defendant did not file a response to Plaintiff's motion. However, the parties filed a joint stipulation indicating that the parties have conferred and agree on the amount of attorney's fees Plaintiff will receive. (ECF No. 20). Per the joint stipulation, the parties have agreed to stipulate that an amount of \$4,000.00 in attorney's fees under the EAJA is reasonable in this case. (ECF No. 20). Further, the parties stipulated that Plaintiff shall be awarded \$400.00 in costs, but such costs are to be paid from the Judgment Fund by the Department of the Treasury pursuant to 31 U.S.C. §1304. (ECF No. 20).

The court has reviewed Counsel's fee petition and the joint stipulation that was submitted

by the parties, and finds Counsel's stipulated request for fees reasonable.

Therefore, Plaintiff is entitled to an award of attorney's fees under the EAJA in the stipulated amount of \$4,000.00 in attorney's fees. The award of attorney's fees shall be paid under the EAJA in the amount of \$4,000.00. The court further finds that Plaintiff is entitled to an award of \$400.00 for reimbursement of court costs. The award of court costs shall be paid from the Judgment Fund by the Department of the Treasury pursuant to 31 U.S.C. §1304.

In accordance with *Astrue v. Ratliff*, 560 U.S. 586, 596-97 (2010), EAJA fees awarded by this court belong to the litigant, thus subjecting EAJA fees to offset under the Treasury Offset Program (31 U.S.C. § 3716(c)(3)(A)(i)) and, therefore, the court directs that fees be payable to Plaintiff and delivered to Plaintiff's counsel.

IT IS SO ORDERED.



United States District Judge

February 9, 2016
Columbia, South Carolina